

REMARKS

Claims 29-41 and 43 are pending in the application. Claim 43 has been amended.

Restriction Requirement

Presently at issue is an election requirement where the Examiner requires election among four groups of claims. Currently, claims 29 and 37 are generic. With all due respect, Applicant traverses this requirement.

With regard to the Group 4 claims, Applicant has amended Claim 43 such that it now depends from Claim 37. As amended, Claim 43 is not independent and distinct from the rest of the claims. Applicant respectfully requests that the restriction requirement with regard to Claim 43 be withdrawn.

The Examiner also requires that Applicant elects one of Groups I-III. Applicant respectfully traverse this requirement to the extent that it can be understood. The requirement cannot be understood because it is specific as to species, i.e., poultry, beef, or swine, but claim 30 makes no mention of these species. To the extent that the Office has made an election requirement and a response must include an election, Applicant elects the species of Group I addressed to poultry including claims 30-36 and 38-39; however, specifically noting that the claims of this group are not limited to poultry. The requirement seems to be in error.

Lastly, the Examiner requires a further election that Applicant elect one species from the claimed invention of Claims 34 and 36. Applicant traverse this further requirement and notes that the requirement is unclear. Claim 30 is, for example, generic to inducible yeast as recited in claim 34 and does not specifically mention poultry. Applicant elects the species of Group I including poultry and the claims of Group I that are generic to Group I and only further elects the species of claim 34 and specifically, if need be, *Saccharomyces cerevisiae*.

The Commissioner is authorized to charge Deposit Account No. 12-0600 for the required fees.

Respectfully submitted:

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